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January 7, 2015

Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street
New York NY 10007-1312

Re: Tamiko Garris-Rivers v. The Metropolitan Transit Authority, Long Island Railroad
SDNY Docket No.: 13-CV-9034
Our File No.: 6178-1307

Dear Judge Daniels:

This law firm represents each of the Defendants in the above-referenced Action. We are in receipt of the letter filed by Plaintiff's counsel on December 16, 2014 (DE:55). We contend that a briefing schedule is not necessary for the instant application. Defendants admit that they are not in possession of any video footage of this incident, and agree to preclude a defense that Plaintiff's conduct on the platform at Jamaica Station provides probable cause for the arrest in this case. We believe that such preclusion obviates the need for Plaintiff's request for an adverse inference, and ask that Plaintiff's request for a briefing schedule be denied.

Thank you for your consideration.

Sincerely,



Andrew K. Preston, Esq.
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AKP/akp